IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WA.No. 1088 of 2007()

AGAINST THE JUDGEMENT IN WPC.1982/2005 Dated 06/12/2006
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APPELLANT: 3RD RESPONDENT

THE MAHATMA GANDHI UNIVERSITY
REPRESENTED BY ITS REGISTRAR,
KOTTAYAM.

BY ADV. SRI.V.A.MUHAMMED, SC, M.G.UNIVERSITY

RESPONDENTS: PETITIONERS AND RESPONDENTS 1 AND 2
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1. THE MANAGER,
NEWMAN COLLEGE, THODUPUZHA.

2. FR.PAUL N.C.,
PRINCIPAL, NEWMAN COLLEGE, THODUPUZHA.

3. THE STATE OF KERALA REPRESENTED BY ITS
CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

4. THE DIRECTOR OF COLLEGIATE EDUCATION,
THIRUVANANTHAPURAM.

BY ADV. SRI.BABY ISAC ILLICKAL FOR R1 & R2
GOVT. PLEADER SHRI.SANDESH RAJA FOR R3 & R4

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.Raman & Antony Dominic, JJ.

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W.A.No.1088 of 2007

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Dated this the 13th day of April, 2007.

JUDGMENT

Raman,J.

Appeal is by the University, who is the third respondent in the Writ Petition. The only point in dispute was as to whether the seniority-cum-fitness rules will apply in the matter of appointment of Principal in the minority institutions. Learned single Judge rightly held that the matter is now squarely covered by the Apex Court in **The Secretary, Malankara Syrian Catholic College** v. **T. Jose & Others** dated 27.11.2006 and the matter was directed to be considered in the light of the said decision. The appellant would contend that the minority status is to be declared by the Government and placed reliance on Annexure A1 judgment. That is not the point that arose for consideration in the Writ Petition. If any such point arises, it is always open to the appellant to raise such contention

before the appropriate authority, in accordance with law.

Writ Appeal is disposed of as above.

P.R.Raman,
Judge.

Antony Dominic,
Judge.

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